

BEST AVAILABLE COPY

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 0630/1J599-US1

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

**POLYMORPHS OF ZALEPLON AND METHODS FOR THE PREPARATION
THEREOF**

which is described and claimed in the specification in application Serial No. 09/921,017 filed August 2, 2001, that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
U.S.	60/222,785	August 3, 2000

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR

BEST AVAILABLE COPY

TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
----------------	------------------------	-----------------------

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewer #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151,

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

Jay P. Lessler

212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Aslam

FIRST NAME: Farhan

MIDDLE NAME:

CITY: Edgewater

STATE OR FOREIGN COUNTRY: New Jersey

COUNTRY OF CITIZENSHIP: U.S.

POST OFFICE ADDRESS: 88 Myrtle Avenue

CITY: Edgewater

STATE OR COUNTRY: New Jersey

ZIP CODE: 07020

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Cowans

FIRST NAME: Brett

MIDDLE NAME:

CITY: West Lafayette

STATE OR FOREIGN COUNTRY: Indiana

COUNTRY OF CITIZENSHIP: U.S.

POST OFFICE ADDRESS: 707 Cumberland Avenue

CITY: West Lafayette

STATE OR COUNTRY: Indiana

ZIP CODE: 47906

BEST AVAILABLE COPY

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME: BYRN FIRST NAME: Stephen MIDDLE NAME: R.
CITY: West Lafayette STATE OR FOREIGN COUNTRY: Indiana COUNTRY OF CITIZENSHIP: U.S.
POST OFFICE ADDRESS: 824 Barlow Street CITY: West Lafayette STATE OR COUNTRY: Indiana
ZIP CODE: 47906

FULL NAME AND RESIDENCE OF INVENTOR 4

LAST NAME: Stahly FIRST NAME: G. MIDDLE NAME: Patrick
CITY: West Lafayette STATE OR FOREIGN COUNTRY: Indiana COUNTRY OF CITIZENSHIP: U.S.
POST OFFICE ADDRESS: 3908 Sunnycroft Place CITY: West Lafayette STATE OR COUNTRY: Indiana
ZIP CODE: 47906

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: _____

DATED: _____

SIGNATURE OF INVENTOR 2: Pat. Coates

DATED: 12/17/01

SIGNATURE OF INVENTOR 3: Stephen R. Byrn

DATED: 12/17/01

SIGNATURE OF INVENTOR 4: JP Stahly

DATED: 12/17/01

BEST AVAILABLE COPY

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 0630/1J599-US1

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

**POLYMORPHS OF ZALEPLON AND METHODS FOR THE PREPARATION
THEREOF**

which is described and claimed in the specification in application Serial No. 09/921,017 filed August 2, 2001, that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
U.S.	60/222,785	August 3, 2000

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR

TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
----------------	------------------------	-----------------------

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Leven #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151,

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

Jay P. Lessler
212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Aslam FIRST NAME: Farhan MIDDLE NAME:

CITY: Edgewater STATE OR FOREIGN COUNTRY: New Jersey COUNTRY OF CITIZENSHIP: U.S.

POST OFFICE ADDRESS: 88 Myrtle Avenue CITY: Edgewater STATE OR COUNTRY: New Jersey ZIP CODE: 07020

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Cowans FIRST NAME: Brett MIDDLE NAME:

CITY: West Lafayette STATE OR FOREIGN COUNTRY: Indiana COUNTRY OF CITIZENSHIP: U.S.

POST OFFICE ADDRESS: 707 Cumberland Avenue CITY: West Lafayette STATE OR COUNTRY: Indiana
ZIP CODE: 47906

BEST AVAILABLE COPY

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME: BYRN FIRST NAME: Stephen MIDDLE NAME: R.
CITY: West Lafayette STATE OR FOREIGN COUNTRY: Indiana COUNTRY OF CITIZENSHIP: U.S.
POST OFFICE ADDRESS: 824 Barlow Street CITY: West Lafayette STATE OR COUNTRY: Indiana
ZIP CODE: 47906

FULL NAME AND RESIDENCE OF INVENTOR 4

LAST NAME: Stahly FIRST NAME: G. MIDDLE NAME: Patrick
CITY: West Lafayette STATE OR FOREIGN COUNTRY: Indiana COUNTRY OF CITIZENSHIP: U.S.
POST OFFICE ADDRESS: 3908 Sunnycroft Place CITY: West Lafayette STATE OR COUNTRY: Indiana
ZIP CODE: 47906

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: Farhan Aslam DATED: 11/26/01

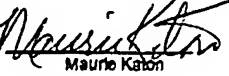
SIGNATURE OF INVENTOR 2: _____ DATED: _____

SIGNATURE OF INVENTOR 3: _____ DATED: _____

SIGNATURE OF INVENTOR 4: _____ DATED: _____

BEST AVAILABLE COPY

I hereby certify that this correspondence is being deposited with the U.S. Postal Service Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on the date shown below.

Dated: December 12, 2003 Signature: 

Maurice Katon

Attorney Docket No.: 60484(46453)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Aslam et al.

Application No.:09/921,017

Group Art Unit: 1624

Filed: August 2, 2001

Examiner: T. Truong

For: POLYMORPHS OF ZALEPLON AND METHODS FOR THE PREPARATION
THEREOF

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)

As Assignee of record of the entire interest of the above identified

☒ application,
☐ patent,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

as attorneys to prosecute the above-identified application and to conduct all business in the United States Patent and Trademark Office, and any corresponding Patent Office during the prosecution under the Patent Cooperation Treaty.

David G. CONLIN	Reg. No. 27,026	David A. TUCKER	Reg. No. 27,840
George W. NEUNER	Reg. No. 26,964	George W. HARTNELL, III	Reg. No. 42,639
Linda M. BUCKLEY	Reg. No. 31,003	John B. ALEXANDER	Reg. No. 48,399
Peter F. CORLESS	Reg. No. 33,860	Steven M. JENSEN	Reg. No. 42,693
Peter J. MANUS	Reg. No. 26,766	Kathryn A. PIFFAT	Reg. No. 34,901
Cara Z. LOWEN	Reg. No. 38,227	Richard J. ROOS	Reg. No. 45,053
William J. DALEY, Jr.	Reg. No. 35,487	Peter J. MANSO	Reg. No. 32,264
Christine C. O'DAY	Reg. No. 38,256	Dianne M. REES	Reg. No. 45,281

BEST AVAILABLE COPY

Attorney Docket No.: (46453)

Robert L. BUCHANAN	Reg. No. 40,927	Gregory B. BUTLER	Reg. No. 34,558
Lisa S. HAZZARD	Reg. No. 44,368	Howard M. GITTEN	Reg. No. 32,138
Jennifer K. ROSENFELD	Reg. No. P-53,531	J. Mark KONIECZNY	Reg. No. 47,715

All correspondence should be directed to:

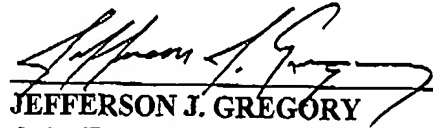
Peter J. Manso
EDWARDS & ANGELL LLP
P.O. Box 9169
Boston, Massachusetts 02209
Telephone: (954) 727-2600
Facsimile: (954) 727-2601

Respectfully submitted,

JONES PHARMA INCORPORATED

Date: December 12, 2003

By:


JEFFERSON J. GREGORY
Chief Executive Officer